

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

APR 07 2021

SA21CR0155

DA *Allen* SHERIFF OF TEXAS
SHERIFF'S CLERK

UNITED STATES OF AMERICA,

Plaintiff,

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MATTHEW NOE ARTEAGA (1),
NICOLAS RODRIGUEZ (3),
BRIAN VICTORINO CHAVARRIA (5),
OSCAR OVIEDO (6),
JOSEPH RICHARD GUERRERO (7),
HOMERO GARCIA (8),
JESUS GERARDO VASQUEZ (9),
JUSTIN PAUL GUERRERO (11),
RICARDO GONZALEZ (13),
SONIA SUAREZ GARCIA (14),
JUAN CARLOS ROBLES (15),
FERNANDO JOSE MORENO (16),
RENE PALAFOS (17),
JAVIER GARCIA LOPEZ (21),
JAIRO OSVALDO DE LA CRUZ MON (23),
ALBELARDO OVIEDO (26),

Defendants.

SEALED INDICTMENT

CASE NO.: SA-21-CR-

**COUNT I: Title 21, U.S.C. §§ 846,
841(a)(1) & 841(b)(1)(A) - Conspiracy
to Possess with intent to Distribute
(Methamphetamine)**

**COUNT 2: Title 21, U.S.C. §§ 846,
841(a)(1) & 841(b)(1)(A) - Conspiracy
to Possess with intent to Distribute
(Cocaine)**

COUNT 3: Title 21, U.S.C. §§ 846, 841(a)(1) & 841(b)(1)(A) - Conspiracy to Possess with intent to Distribute (Heroin)

COUNT 4: Title 21, U.S.C. §§ 841(a)(1) & 841(b)(1)(A), 18 U.S.C. § 2 - Possession with intent to Distribute (Methamphetamine), and Aiding and Abetting

COUNT 5: Title 21, U.S.C. §§ 841(a)(1) & 841(b)(1)(B), 18 U.S.C. § 2 - Possession with intent to Distribute (Cocaine), and Aiding and Abetting

COUNT 6: Title 21, U.S.C. §§ 841(a)(1) & 841(b)(1)(A), 18 U.S.C. § 2 - Possession with intent to Distribute (Methamphetamine), and Aiding and Abetting

COUNT 7: Title 21, U.S.C. §§ 846, 841(a)(1) & 841(b)(1)(A), 18 U.S.C. § 2 – Attempted Possession with intent to Distribute (Methamphetamine), and Aiding and Abetting

**COUNT 8: Title 21, U.S.C. §§ 846,
841(a)(1) & 841(b)(1)(A), 18 U.S.C. § 2
- Attempted Possession with intent to**

**Distribute (Methamphetamine), and
Aiding and Abetting**

**COUNT 9: Title 21, U.S.C. §§ 846,
841(a)(1) & 841(b)(1)(A), 18 U.S.C. § 2**
- Attempted Possession with intent to
Distribute (Methamphetamine), and
Aiding and Abetting

**COUNT 10: Title 21, U.S.C. §§ 846,
841(a)(1) & 841(b)(1)(A), 18 U.S.C. § 2**
- Attempted Possession with intent to
Distribute (Methamphetamine), and
Aiding and Abetting

**COUNT 11: Title 21, U.S.C. §§
841(a)(1) & 841(b)(1)(A), 18 U.S.C. § 2**
- Possession with intent to Distribute
(Methamphetamine), and Aiding and
Abetting

**COUNT 12: Title 21, U.S.C. §§
841(a)(1) & 841(b)(1)(B), 18 U.S.C. § 2**
- Possession with intent to Distribute
(Heroin), and Aiding and Abetting

**COUNT 13: Title 21, U.S.C. §§
841(a)(1) & 841(b)(1)(C), 18 U.S.C. § 2**
- Possession with intent to Distribute
(Methamphetamine), and Aiding and
Abetting

**COUNT 14: Title 21, U.S.C. §§
841(a)(1) & 841(b)(1)(B), 18 U.S.C. § 2**
- Possession with intent to Distribute
(Cocaine), and Aiding and Abetting

**COUNT 15: Title 21, U.S.C. §§
841(a)(1) & 841(b)(1)(A), 18 U.S.C. § 2**
- Possession with intent to Distribute
(Methamphetamine), and Aiding and
Abetting

THE GRAND JURY CHARGES:

COUNT ONE
[21 U.S.C. §§ 846, 841(a)(1) & 841(b)(1)(A)]

Beginning on or about June 2019, the exact date unknown, and continuing until the date of this indictment, in the Western District of Texas, Defendants,

MATTHEW NOE ARTEAGA (1),
[REDACTED]

NICOLAS RODRIGUEZ (3),
[REDACTED]

BRIAN VICTORINO CHAVARRIA (5),
OSCAR OVIEDO (6),
JOSEPH RICHARD GUERRERO (7),
JESUS GERARDO VASQUEZ (9),
[REDACTED]

JUSTIN PAUL GUERRERO (11),
[REDACTED]

RICARDO GONZALEZ (13),
JUAN CARLOS ROBLES (15),
FERNANDO JOSE MORENO (16),
RENE PALAFOS (17),
[REDACTED]

JAVIER GARCIA LOPEZ (21),
[REDACTED]

JAIRO OSVALDO DE LA CRUZ MONCADA (23),
[REDACTED]

ALBELARDO OVIEDO (26),
[REDACTED]

knowingly and intentionally conspired, combined, confederated, and agreed together, and with each other, and with others, to commit the following offenses against the United States: to distribute a controlled substance, which offense involved 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, §§ 841(a)(1) and 841(b)(1)(A). All in violation of Title 21, United States Code, § 846.

PENALTY ENHANCEMENT

Before [REDACTED] committed the offense charged in this count, [REDACTED]

[REDACTED] was convicted of Possession with Intent to Distribute a Controlled Substance, a serious drug felony, for which he served more than 12 months of imprisonment and for which he

was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Before [REDACTED] committed the offense charged in this count, [REDACTED]

[REDACTED] was convicted of Conspiracy to Possess with Intent to Distribute a Controlled Substance, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Before [REDACTED] committed the offense charged in this count, [REDACTED]

[REDACTED] was convicted of Conspiracy to Possess with Intent to Distribute a Controlled Substance and Possession with Intent to Distribute a Controlled Substance, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

COUNT TWO
[21 U.S.C. §§ 846, 841(a)(1) & 841(b)(1)(A)]

Beginning on or about June 2019, the exact date unknown, and continuing until the date of this indictment, in the Western District of Texas, Defendants,

[REDACTED]
OSCAR OVIEDO (6)

[REDACTED]
JUSTIN PAUL GUERRERO (11),
FERNANDO JOSE MORENO (16),
RENE PALAFOS (17),

and

JAIRO OSVALDO DE LA CRUZ MONCADA (23),

knowingly and intentionally conspired, combined, confederated, and agreed together, and with each other, and with others, to commit the following offenses against the United States: to

distribute a controlled substance, which offense involved 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, §§ 841(a)(1) and 841(b)(1)(A). All in violation of Title 21, United States Code, § 846.

COUNT THREE

[21 U.S.C. §§ 846, 841(a)(1) & 841(b)(1)(A)]

Beginning on or about June 2019, the exact date unknown, and continuing until the date of this indictment, in the Western District of Texas, Defendants,

**BRIAN VICTORINO CHAVARRIA (5),
HOMERO GARCIA (8),
SONIA SUAREZ GARCIA (14),**
[REDACTED]

knowingly and intentionally conspired, combined, confederated, and agreed together, and with each other, and with others, to commit the following offenses against the United States: to distribute a controlled substance, which offense involved 1 kilogram or more of a mixture or substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of Title 21, United States Code, §§ 841(a)(1) and 841(b)(1)(A). All in violation of Title 21, United States Code, § 846.

COUNT FOUR

[21 U.S.C. §§ 841(a)(1) & 841(b)(1)(A) and 18 U.S.C. § 2]

That on or about January 7, 2020, in the Western District of Texas, Defendants,

[REDACTED]
**OSCAR OVIEDO (6),
and
JAIRO DE LA CRUZ MONCADA (23),**

aided and abetted by each other and others, did knowingly, intentionally and unlawfully possess

with the intent to distribute, a controlled substance, which offense involved 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, §§ 841(a)(1) and 841(b)(1)(A), and Title 18, United States Code, § 2.

COUNT FIVE

[21 U.S.C. §§ 841(a)(1) & 841(b)(1)(B) and 18 U.S.C. § 2]

That on or about January 7, 2020, in the Western District of Texas, Defendants,

[REDACTED]
OSCAR OVIEDO (6),
and
JAIRO DE LA CRUZ MONCADA (23),

aided and abetted by each other and others, did knowingly, intentionally and unlawfully possess with the intent to distribute, a controlled substance, which offense involved 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, §§ 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, § 2.

COUNT SIX

[21 U.S.C. §§ 841(a)(1) & 841(b)(1)(A) and 18 U.S.C. § 2]

That on or about January 9, 2020, in the Western District of Texas, Defendant,

[REDACTED]

aided and abetted by others, did knowingly, intentionally and unlawfully possess with the intent to distribute, a controlled substance, which offense involved 500 grams of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, §§ 841(a)(1) and 841(b)(1)(A), and Title 18, United States Code, § 2.

COUNT SEVEN
[21 U.S.C. §§ 846, 841(a)(1) & 841(b)(1)(A) and 18 U.S.C. § 2]

That on or about January 22, 2020, in the Western District of Texas, Defendants,

**MATTHEW NOE ARTEAGA (1),
JUAN CARLOS ROBLES (15),**
[REDACTED]

aided and abetted by each other and others, did knowingly, intentionally and unlawfully possess and attempt to possess with the intent to distribute, a controlled substance, which offense involved 500 grams of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, §§ 841(a)(1) and 841(b)(1)(A), and Title 18, United States Code, § 2. All in violation of Title 21, United States Code, § 846.

PENALTY ENHANCEMENT

Before JUAN CARLOS ROBLES committed the offense charged in this count, JUAN CARLOS ROBLES was convicted of Conspiracy to Possess with Intent to Distribute a Controlled Substance, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Before [REDACTED] committed the offense charged in this count, [REDACTED]

[REDACTED] was convicted of Conspiracy to Possess with Intent to Distribute a Controlled Substance and Possession with Intent to Distribute a Controlled Substance, a serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

COUNT EIGHT
[21 U.S.C. §§ 846, 841(a)(1) & 841(b)(1)(A) and 18 U.S.C. § 2]

That on or about January 23, 2020, in the Western District of Texas, Defendants,

MATTHEW NOE ARTEAGA (1)
JOSEPH RICHARD GUERRERO (7),
[REDACTED]

aided and abetted by each other and others, did knowingly, intentionally and unlawfully possess and attempt to possess with the intent to distribute, a controlled substance, which offense involved 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, §§ 841(a)(1) and 841(b)(1)(A) and Title 18, United States Code, § 2. All in violation of Title 21, United States Code, § 846.

COUNT NINE
[21 U.S.C. §§ 846, 841(a)(1) & 841(b)(1)(A) and 18 U.S.C. § 2]

That on or about March 18, 2020, in the Western District of Texas, Defendants,

MATTHEW NOE ARTEAGA (1),
RICARDO GONZALEZ (13),
and
JAVIER GARCIA LOPEZ (21),

aided and abetted by each other and others, did knowingly, intentionally and unlawfully possess and attempt to possess with the intent to distribute, a controlled substance, which offense involved 50 grams or more of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, §§ 841(a)(1) and 841(b)(1)(A) and Title 18, United States Code, § 2. All in violation of Title 21, United States Code, § 846.

COUNT TEN
[21 U.S.C. §§ 846 841(a)(1) & 841(b)(1)(A) and 18 U.S.C. § 2]

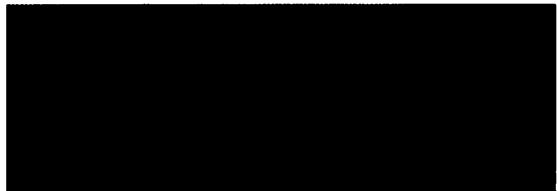
That on or about March 19, 2020, in the Western District of Texas, Defendants,

**MATTHEW NOE ARTEAGA (1),
NICOLAS RODRIGUEZ (3),**

aided and abetted by each other and others, did knowingly, intentionally and unlawfully possess and attempt to possess with the intent to distribute, a controlled substance, which offense involved 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, §§ 841(a)(1) and 841(b)(1)(A), and Title 18, United States Code, § 2. All in violation of Title 21, United States Code, § 846.

COUNT ELEVEN
[21 U.S.C. §§ 841(a)(1) & 841(b)(1)(A) and 18 U.S.C. § 2]

That on or about April 30, 2020, in the Western District of Texas, Defendants,

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aided and abetted by each other and others, did knowingly, intentionally and unlawfully possess with the intent to distribute, a controlled substance, which offense involved 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, §§ 841(a)(1) and 841(b)(1)(A), and Title 18, United States Code, § 2.

PENALTY ENHANCEMENT

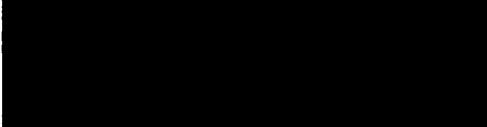
Before [REDACTED] committed the offense charged in this count, [REDACTED]
[REDACTED] was convicted of Possession with Intent to Distribute a Controlled Substance, a

serious drug felony, for which he served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

COUNT TWELVE
[21 U.S.C. § 841(a)(1) & 841(b)(1)(B) and 18 U.S.C. § 2]

That on or about September 22, 2020, in the Western District of Texas, Defendant,

**BRIAN VICTORINO CHAVARRIA (5),
HOMERO GARCIA (8),
SONIA SUAREZ GARCIA (14),**



aided and abetted by each other and others, did knowingly, intentionally and unlawfully possess with the intent to distribute, a controlled substance, which offense involved 100 grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of Title 21, United States Code, §§ 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, § 2.

COUNT THIRTEEN
[21 U.S.C. § 841(a)(1) & 841(b)(1)(c) and 18 U.S.C. § 2]

That on or about September 22, 2020, in the Western District of Texas, Defendant,

**BRIAN VICTORINO CHAVARRIA (5),
and
SONIA SUAREZ GARCIA (14),**

aided and abetted by each other and others, did knowingly, intentionally and unlawfully possess with the intent to distribute, a controlled substance, which offense involved a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, §§ 841(a)(1) and 841(b)(1)(C), and Title 18, United

States Code, § 2.

COUNT FOURTEEN
[21 U.S.C. §§ 841(a)(1) & 841(b)(1)(B) and 18 U.S.C. § 2]

That on or about February 9, 2021, in the Western District of Texas, Defendant,

**MATTHEW NOE ARTEAGA (1),
JESUS GERARDO VASQUEZ (9),
JUSTIN PAUL GUERRERO (11),
FERNANDO JOSE MORENO (16),
and
RENE PALAFOS (17)**

aided and abetted by each other and others, did knowingly, intentionally and unlawfully possess with the intent to distribute, a controlled substance, which offense involved 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, §§ 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, § 2.

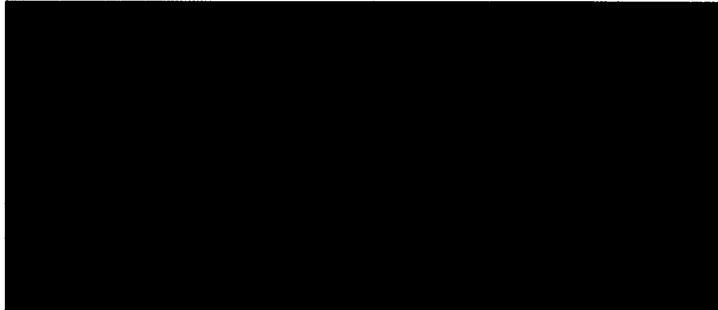
COUNT FIFTEEN
[21 U.S.C. §§ 841(a)(1) & 841(b)(1)(A) and 18 U.S.C. § 2]

That on or about February 9, 2021, in the Western District of Texas, Defendant,

**MATTHEW NOE ARTEAGA (1),
JESUS GERARDO VASQUEZ (9),
JUSTIN PAUL GUERRERO (11),
FERNANDO JOSE MORENO (16),
and
RENE PALAFOS (17)**

aided and abetted by each other and others, did knowingly, intentionally and unlawfully possess with the intent to distribute, a controlled substance, which offense involved 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II

Controlled Substance, in violation of Title 21, United States Code, §§ 841(a)(1) and 841(b)(1)(A),
and Title 18, United States Code, § 2.



ASHLEY C. HOFF
UNITED STATES ATTORNEY

BY: *Adrian Rosales*
ADRIAN ROSALES
Assistant United States Attorney